

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

TECHNICAL EDUCATION - Private Unaided Professional Colleges - Complaint on collection of excess fees by St. Martin's Institute of Business Management – Show Cause Notice u/s 9 & 10 of A.P. Institutions (Regulation of Admissions & Prohibition of Capitation Fee) Act, 1983 – - Show cause notice served - Explanation submitted –allegation proved –imposing with a penalty of Rs.50,000/- - Orders - Issued.

= = = = =

HIGHER EDUCATION (EC.1) DEPARTMENT

G.O.Rt.No. 537,

Dated 29.07.2010.

Read the following:-

1. Letter No.H2/15203/2009, dated 11.11.2009 from the Commissioner of Technical Education, Andhra Pradesh, Hyderabad.
2. Govt.memo No.12207/EC.1/2009-1, dated 8.2.2010.
3. Explanation received from the Chairman, St.Martin`s Institute of Business Management, Secunderabad dated. 13.2.2010.
4. Letter No.H2/15203/2009, dated 14.04.2010 from the Commissioner of Technical Education, Andhra Pradesh, Hyderabad.

ORDER:-

In the letter first read above, the CTE has informed that based on the complaints received from the students of the St. Martin's Institute of Business Management, Secunderabad, the Principal of J.N. Government Polytechnic, Ramanthapur was appointed as Enquiry Officer. The Enquiry Officer has informed that the college management has collected an amount of Rs.10,000/- from each student.

2. The CTE has further stated that as per the G.O. Ms. No. 64, Higher Education (EC.II) Department, Dt: 16-07-2009, the Management has to collect an amount of Rs. 5,500/- only towards the Special Fees, where as the Management of St. Martin's Institute of Business Management, Dhulapally, Secunderabad has collected an amount of Rs.10,000/- excess of Rs.4,500/- from each student, which is contrary to the provisions under section Sec 9 & 10 of A. P. Institutions (*Regulation of Admissions and Prohibition of Capitation fee*) Act, 1983 and hence, the Management is liable for Penalties under the said Act. From all the evidences mentioned above, It has been established that the Management of St. Martins Institute of Business Management, Dhulapally have collected excess fee in violation of the fee fixed by AFRC and attracts action for imposing penalties under Sec 9 & 10 of AP Institutions (Regulation of Admissions & Prohibition of Capitation Fee Act, 1983.

3. The Commissioner of Technical Education, Andhra Pradesh, Hyderabad has requested the Government to initiate the following action on St. Martins Institute of Business Management, Dhulapally, Secunderabad for having collected fee in excess than the fee prescribed by the AFRC.

- 1) Initiating action under section 9 & 10 of A.P. Institutions (*Regulation of Admissions & Prohibition of Capitation fee*) Act, 1983.
- 2) Canceling the permission accorded by Government to run the above Institution.
- 3) Addressing a letter to AICTE, New Delhi to cancel the approval accorded to the above said College.
- 4) Addressing to affiliating University i.e., OU, Hyderabad for disaffiliation of the above said College.

4. The Government have examined the case and issued a show cause notice to the management to submit their explanation on this aspect.

5. The Chairman, St. Martins Institute of Business Management , Dhulapally, Secunderabad has agreed that they have collected an amount of Rs.4,500/- in excess in the name of Blazer charges etc., The management have stated that they have returned the amount to the students, but in the enquiry report the enquiry officer not confirmed it.

::2::

6. The Government have observed that the management have collected Rs.10,000/- per student from 60 students. As per G.O.Ms.No.64, HE (EC.2) Dept., dt.16.7.2009, the Management has to collect an amount of Rs.5,500/- only towards special fees, wherein the Management have collected Rs.4,500/- in excess from each student. The Institution should not charge any capitation fee or any amount unauthorisedly or illegally under any other head or guise (e.g., donation etc.), either directly or indirectly, other than the fee fixed by the Committee.

7. The Government have examined the matter and decided to impose a penalty of Rs.50,000-00 (Rupees Fifty thousand only) on the management St. Martins Institute of Business Management , Dhulapally, Secunderabad for collecting the excess fees.

8. Therefore, the Government hereby order to impose a penalty of Rs.50,,000/- (Rupees Fifty thousand only) on St. Martins Institute of Business Management , Dhulapally, Secunderabad. The management shall also give an undertaking for not making any excess collection of fee from the students in future.

9. The Commissioner of Technical Education, Andhra Pradesh, Hyderabad shall take necessary further action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**C.R.BISWAL
PRINCIPAL SECRETARY TO GOVERNMENT.**

To

The Commissioner of Technical Education, Andhra Pradesh, Hyderabad

The Chairman, St. Martins Institute of Business Management , Dhulapally, Secunderabad.

The Secretary, Andhra Pradesh State Council of Higher Education, Andhra Pradesh, Hyderabad.

The Member-Secretary, Admission

Copy to

P.S.to Hon`ble Minister (Technical Education)/Principal Secretary to Government (HE)

SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER.